

**AMENDED  
APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF  
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office JUN 30 2003

Returned to applicant for correction JUL 17 2003

Corrected application filed SEP 30 2003

Map filed SEP 30 2003

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The applicant **James R. Boyce** hereby makes application for permission to change the **Point of Diversion, Manner & Place of Use** of a portion of water heretofore appropriated under Permit **44540**

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1. The source of water is **underground (L-2 Well)**
2. The amount of water to be changed **0.443 c.f.s., not to exceed 48.45 acre-feet**
3. The water to be used for **Irrigation**
4. The water heretofore permitted for **Irrigation**
5. The water is to be diverted at the following point **SW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 28, T.2S., R.35E., M.D.B.&M. or at a point from which the SE Corner of said Section 28 bears S. 36°19'27" E., a distance of 3,544 ft. See Application 58223.**
6. The existing permitted point of diversion is located within **NW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 23, T.3S., R.35E., M.D.B.&M., or at a point from which the S $\frac{1}{4}$  of said Section 23 bears S. 24°56' W. a distance of 1565.9 feet**
7. Proposed place of use **See Attachment "A"**
8. Existing place of use **See Attachment "B"**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **March 1 to November 1** of each year.
11. Description of proposed works **Existing drilled and cased well equipped with a motor and pump then through a distribution system to the place of use.**
12. Estimated cost of works **\$75,000.00**
13. Estimated time required to construct works **Well completed**
14. Estimated time required to complete the application of water to beneficial use **Five (5) years**
15. Remarks: **This application is being filed to change the place of use of a portion of Permit 44540. Water will be commingled under Applications 70164 through 70168 and with other underground and surface water rights within the proposed place of use. Refer to map(s) on file under Permit 44540 for the existing point of diversion and place of use. Total combined duty of Applications 70164 through 70168 shall not exceed 1780.25 acre-feet annually.**

By **Gregory M. Bilyeu**  
s/**Gregory M. Bilyeu**  
**500 Damonte Ranch Parkway, #1056**  
**Reno, NV 89521**

Compared sg/ sam lh/ gkl

Protested \_\_\_\_\_

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 44540 is issued subject to the terms and conditions imposed in said Permit 44540 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS, 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on February 15th of each year.

The total acres irrigated on the northern portion of the ranch by Permits 70164 through 70168, 70444 through 70470 and 70475 through 70481 shall be limited to 1,167.62 acres from surface sources, plus 1,363.46 acres from non-supplemental underground sources, for a total of 2,531.08 acres irrigated from all sources within the common described place of use.

The total combined duty of underground water on the northern portion of the ranch under Permits 70164 through 70168, 70444 through 70449, 70451 through 70457, 70459 through 70467, 70469, 70470, 70479, 70480 and 70481 shall be limited to 6,817.30 acre-feet annually (AFA) for non-supplemental underground water, plus 2,279.51 AFA for supplemental underground water, for a maximum total combined duty of underground water of 9,096.81 AFA.

The total combined diversion rate and duty of the well containing Permits 70164, 70464, 70465 and 70466 shall be limited to 4.443 CFS and 1,450.67 AFA, respectively.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.443 cubic feet per second, but not to exceed 48.42 acre-feet annually, and not to exceed a yearly duty of 5.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

January 12, 2007

Proof of completion of work shall be filed before:

February 12, 2007

Water must be placed to beneficial use on or before:

January 12, 2011

Proof of the application of water to beneficial use shall be filed on or before:

February 12, 2011

Map in support of proof of beneficial use shall be filed on or before:

February 12, 2011

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 12th day of January, A.D. 2006

  
\_\_\_\_\_  
State Engineer

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed NA

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_



## Attachment "A"

**7. Proposed Place of Use:****T.2S., R.35E., M.D.B.&M.****Section 22: S $\frac{1}{2}$ NE $\frac{1}{4}$ , portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$** **Section 23: S $\frac{1}{2}$ SW $\frac{1}{4}$** **Section 26: W $\frac{1}{2}$** **Section 27: All****Section 28: E $\frac{1}{2}$  (east of State Route 264)****Section 33: E $\frac{1}{2}$  (east of State Route 264)****Section 34: All****T.3S., R.35E., M.D.B.&M.****Section 3: N $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$** **Section 4: E $\frac{1}{2}$ NE $\frac{1}{4}$ , portion of the W $\frac{1}{2}$ NE $\frac{1}{4}$  (east of State Route 264)  
portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$  (east of State Route 264), portion of NE $\frac{1}{4}$ SE $\frac{1}{4}$**

